

EXHIBIT A

10/654,167

PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Steven W. Albrecht et al.

Group Art Unit: 1713

Serial #: 10/654,167

Examiner: Robert D. Harlan

Filed: September 3, 2003

Attorney Docket No.: DT-024-US-01

Title: Composition and Method Relating to a Hot Melt Adhesive**MS: RCE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.132

I, Steven W. Albrecht, am one of the inventors in the present application and hereby declare as follows:

1. I graduated from Arizona State University (Tempe, AZ) with a Bachelor of Science degree in Chemistry in 1989. I attended and received a Doctor of Philosophy degree in Organic Chemistry from University of Wisconsin-Madison in 1995. I have 12 years experience in the areas of hot melt adhesive, all 12 years in research and development. I have been continuously employed by H.B. Fuller Company ("HBF"), Minnesota since 1994 as a Senior Chemist and Senior Section Leader. I have been specifically involved in researching and developing new hot melt adhesive compositions, processes of making the same and processes of using the same in packaging.

2. I have been informed by the counsel for HBF that claims 1, 2, 4, 6-9, 11-12, 14 and 15 in the present application have been rejected in the Office Action dated January 12, 2006 as being allegedly anticipated by US 6,946,528 to Domine et al. ("Domine"). I have read and am familiar with the Office Action and the Domine patent. The following remarks are presented in support of the patentability of the claimed invention.

3. The Domine patent discloses an ethylene and alkyl acrylate or alkyl methacrylate copolymer that is produced in a high pressure tubular reactor. The Domine patent

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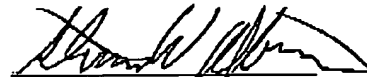
Patent

discloses that the peak melting point of its ethylene and alkyl acrylate or alkyl methacrylate copolymer is at least 100°C, at least 105°C, or at least 110°C. (col. 6, line 30-39).

4. The present invention includes an ethylene and methyl methacrylate (EMMA) copolymer that is produced by an autoclave reactor and provided by Sumitomo Chemical Company and AT Plastics. The peak melting points of three (3) commercially available autoclave reactor ethylene and methyl methacrylate copolymer are measured by Differential Scanning Calorimetry (DSC) in accordance with the ASTM test method D-3417. The attached Figures 1-3 have shown that the autoclave reactor ethylene and methyl methacrylate copolymers have a peak melting point of no greater than about 67°C \pm 6°C. (6°C is the repeatability of the sample according to the test method). Sample EMMA in Fig. 1 is used in Examples 1 and 6 of the present application. Sample EMMA in Fig. 2 is used in Examples 2-4 of the present application. Sample EMMA in Fig. 3 is a commercially available autoclave ethylene and methyl methacrylate copolymer from AT Plastics.

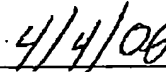
5. Having much lower peak melting point, the autoclave ethylene and methyl methacrylate copolymer provides a hot melt adhesive with less brittle, more flexibility, which will provide increased bonding performance in a hot melt adhesive especially at lower temperatures.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that false statements may jeopardize the validity of the application or any patent issued thereon.



Steve W. Albrecht

Title: New Product Introduction Manager



Date